

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STANTON HARRY MCCAIN, II

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

CASE NO. C20-5650-RSM

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, the Court finds and ORDERS:

(1) The Court ADOPTS the Report and Recommendation.

(2) Plaintiff's request to strike, Dkt. #38, is DENIED.

(3) Defendants' motion for summary judgment, Dkt. #27, is GRANTED. The claims against Defendants Neghmouche and Henderling are dismissed with prejudice and the case is closed.

(4) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

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1 DATED this 8th day of November, 2021.

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5 RICARDO S. MARTINEZ
6 CHIEF UNITED STATES DISTRICT JUDGE
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